

DEPARTMENT OF
CITY PLANNING

CITY PLANNING COMMISSION

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October 28, 2016

Kevin Zhang (A)(O)
Baystone Holdings, LLC
1619 West Garvey Avenue North, #207
Pomona, CA 91790

Julia Lee (R)
The Code Solution
1125 West 6th Street, Suite 205
Los Angeles, CA 90017

RE: Tentative Tract Map No. 72973-CN
Address: 14403-14411 West Tiara Avenue
Related Case: ZA-2015-3142-ZV
Planning Area: Van Nuys – North Sherman
Oaks Community
Zone : [Q]RD1.5-1
D. M. : 177A151
C. D. : 4
CEQA : ENV-2015-3142-MND

Department of Building and Safety

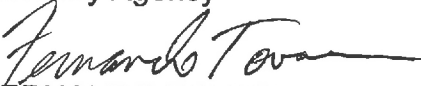
LETTER OF CLARIFICATION

On January 29, 2016, in accordance with provisions of Section 17.06 of the Los Angeles Municipal Code, the Advisory Agency conditionally approved Tentative Tract Map No. 72973-CN. On October 25, 2016, the applicant requested a letter to clarify the incorrect numerical order given to the conditions addressed in the letter of determination.

After reviewing the letter of determination, it was confirmed and noted that the incorrect numerical order was a typographical (formatting) error. The Letter of Determination starts listing the conditions numbered at 1 then proceeds to 3 through 36 then derives back to 1 through 3 and finally reverts back to 37 through 44.

The Department of City Planning would like to clarify that the accurate order was intended to be uninterruptedly from 1 through 46, therefore conditions (Departmental Conditions through Construction Mitigation Conditions) written on Pages 2 through 14 of the abovementioned document shall be replaced with Attachment A. All other language, terms, and conditions of TT-72973-CN shall remain unchanged. The subdivider is advised that the above action does not extend the time for recording the final tract map.

VINCENT P. BERTONI, AICP
Advisory Agency


FERNANDO TOVAR
Deputy Advisory Agency
FT:JT:LR

ATTACHMENT A

BUREAU OF ENGINEERING – SPECIFIC CONDITIONS

1. That any fee deficit under Work Order No. EXT00625 expediting this project be paid.

DEPARTMENT OF BUILDING AND SAFETY, GRADING DIVISION

2. Approval shall be obtained from the Department of Public Works, Bureau of Engineering, Constituent Service Division for the proposed removal of support and/or retaining of slopes adjoining to public way. (3307.3.2)
3. The soils engineer shall review and approve the detailed plans prior to issuance of any permit. This approval shall be by signature on the plans that clearly indicates the soils engineer has reviewed the plans prepared by the design engineer and that the plans included the recommendations contained in the soil reports. (7006.1)
4. All recommendations of the report by AGI Geotechnical, Inc. Dated 05/01/2015 signed by Juan A. Vidal, GE 861, which are in addition to or more restrictive than the conditions contained herein shall also be incorporated into the plans for the project. (7006.1)
5. A copy of the subject and appropriate referenced reports and this approval letter shall be attached to the District Office and field set of plans. Submit one copy of the above reports to the Building Department Plan Checker prior to issuance of the permit. (7006.1)
6. A grading permit shall be obtained for all structural fill and retaining wall backfill. (106.1.2)
7. All man-made fill shall be compacted to a minimum 90 percent of the maximum dry density of the fill material per the latest version of ASTM D 1557. Where cohesionless soil having less than 15 percent finer than 0.005 millimeters is used for fill, it shall be compacted to a minimum of 95 percent relative compaction based on maximum dry density (D1556). Placement of gravel in lieu of compacted fill is allowed only if complying with Section 91.7011.3 of the Code. (7011.3)
8. If import soils are used, no footings shall be poured until the soils engineer has submitted a compaction report containing in-place shear test data and settlement data to the Grading Division of the Department, and obtained approval. (7008.2)
9. Compacted fill shall extend beyond the footings a minimum distance equal to the depth of the fill below the bottom of footings or a minimum of three feet whichever is (7011.3).
10. Existing uncertified fill shall not be used for support of footings, concrete slabs or new fill. (1809.2)

11. Drainage in conformance with the provisions of the Code shall be maintained during and subsequent to construction. (7013.12)
12. Grading shall be scheduled for completion prior to the start of the rainy season, or detailed temporary erosion control plans shall be filed in a manner satisfactory to the Grading Division of the Department and the Department of Public Works, Bureau of Engineering, B-Permit Section, for any grading work in excess of 200 cubic yard. (7007.1)
13. The applicant is advised that the approval of this report does not waive the requirements for excavations contained in the State Construction Safety Orders enforced by the State Division of Industrial Safety. (3301.1)
14. Excavations shall not remove lateral support from a public way, adjacent property or an existing structure. Note: Lateral support shall be considered to be removed when the excavation extends below a plane projected downward at an angle of 45 degrees from the bottom of a footing of an existing structure, from the edge of the public way or an adjacent property. (3307.3.1)
15. A supplemental report shall be submitted to the Grading Division of the Department containing recommendations for shoring, underpinning, and sequence of construction in the event that any excavation would remove lateral support to the public way, adjacent property, or adjacent structures. A plot plan and cross-section(s) showing the construction type, number of stories, and location of the structures adjacent to the excavation shall be part of the excavation plans. (3307.3 & 7006.2)
16. Prior to the issuance of any permit which authorizes an excavation where the excavation is to be of a greater depth than are the walls or foundation of any adjoining building or structure and located closer to the property line than the depth of the excavation, the owner of the subject site shall provide the Department with evidence that the adjacent property owner has been given a 30-day written notice of such intent to make an excavation. (3307.1)
17. Unsurcharged temporary excavations over 5 feet exposing soil shall be trimmed back at a gradient not exceeding 1:1, as recommended.
18. All foundations shall derive entire support from properly placed fill, as recommended and approved by the soils engineer by inspection.
19. Footings supported on approved compacted fill shall be reinforced with a minimum of four (4) ½-inch diameter (#4) deformed reinforcing bars. Two (2) bars shall be placed near the bottom and two (2) bars placed near the top.
20. Slabs placed on approved compacted fill shall be at least 3½ inches thick and shall be reinforced with ½-inch diameter (#4) reinforcing bars spaced maximum of 16 inches on center each way.

21. The seismic design shall be based on a Site Class D as recommended. All other seismic design parameters shall be reviewed by LADBS building plan check.
22. All roof and pad drainage shall be conducted to the street in an acceptable. (7013.10)
23. An on-site storm water infiltration system at the subject site shall not be implemented, as recommended.
24. All concentrated drainage shall be conducted in an approved device and disposed of in a manner approved by the LADBS. (7013.10)
25. The soils engineer shall inspect all excavations to determine that conditions anticipated in the report have been encountered and to provide recommendations for the correction of hazards found during grading. (7008 & 1705.6)
26. Prior to the pouring of concrete, a representative of the consulting soils engineer shall inspect and approve the footing excavations. He/She shall post a notice on the job site for the LADBS Building Inspector and the Contractor stating that the work so inspected meets the conditions of the report, but that no concrete shall be poured until the City Building Inspector has also inspected and approved the footing excavations. A written certification to this effect shall be filed with the Grading Division of the Department upon completion of the work. (108.9 & 7008.2)
27. Prior to excavation, an initial inspection shall be called with LADBS Inspector at which time sequence of construction, shoring, protection fences and dust and traffic control will be scheduled. (108.9.1)
28. Prior to the placing of compacted fill, a representative of the soils engineer shall inspect and approve the bottom excavations. He/She shall post a notice on the job site for the City Grading Inspector and the Contractor stating that the soil inspected meets the conditions of the report, but that no fill shall be placed until the LADBS Grading Inspector has also inspected and approved the bottom excavations. A written certification to this effect shall be included in the final compaction report filed with the Grading Division of the Department. All fill shall be placed under the inspection and approval of the soils engineer. A compaction report together with the approved soil report and Department approval letter shall be submitted to the Grading Division of the Department upon completion of the compaction. In addition, an Engineer's Certificate of Compliance with the legal description as indicated in the grading permit and the permit number shall be included. (7011.3)
29. No footing/slab shall be poured until the compaction report is submitted and approved by the Grading Division of the Department.

DEPARTMENT OF BUILDING AND SAFETY, ZONING DIVISION

30. Prior to recordation of the final map, the Department of Building and Safety, Zoning Division shall certify that no Building or Zoning Code violations exist on the subject site. In addition, the following items shall be satisfied:
- a. Obtain permits for the demolition or removal of all existing structures on the site. Accessory structures and uses are not permitted to remain on lots without a main structure or use. Provide copies of the demolition permits and signed inspection cards to show completion of the demolition work prior to obtaining the Zoning clearance.
 - b. Show all street dedication as required by Bureau of Engineering and provide net lot area after all dedication. "Area" requirements shall be re-checked as per net lot area after street dedication. Front yard requirement shall be required to comply with current code as measured from new property lines after dedications.

Notes:

The submitted Map may not comply with the number of guest parking spaces required by the Advisory Agency.

Any proposed structures or uses on the site have not been checked for and shall comply with Building and Zoning Code requirements. Plan check will be required before any construction, occupancy or change of use.

An appointment is required for the issuance of a clearance letter from the Department of Building and Safety. The applicant is asked to contact Laura Duong at (213) 482-0434 to schedule an appointment.

DEPARTMENT OF TRANSPORTATION

31. Prior to recordation of the final map, satisfactory arrangements shall be made with the Department of Transportation to assure:
- a. A 20-foot reservoir space be provided between any security gate(s) and the property line, after dedications, to the satisfaction of the Department of Transportation.
 - b. Parking stalls shall be designed so that a vehicle is not required to back into or out of any public street or sidewalk.
 - c. A parking and driveway plan shall be submitted to the Citywide Planning Coordination Section of Department of Transportation for approval prior to submittal of building permit plans for plan check by the Department of Building and Safety. Transportation approvals are conducted at 201 North Figueroa Street, Suite 400, Station 3.

- d. A fee in the amount of \$197 be paid to the Department of Transportation as required per Ordinance No. 180,542 and LAMC Section 19.15 prior to recordation of the final map.

Note:

The applicant may be required to comply with any other applicable fees per this new ordinance.

FIRE DEPARTMENT

32. Prior to the recordation of the final map, a suitable arrangement shall be made satisfactory to the Fire Department, binding the subdivider and all successors to the following: (MM)
 - a. All homes shall have noncombustible roofs. (Non-wood)
 - b. Access for Fire Department apparatus and personnel to and into all structures shall be required.

DEPARTMENT OF RECREATION AND PARKS

33. That the Quimby fee be based on the [Q]RD1.5-1 Zone.

DEPARTMENT OF WATER AND POWER

34. Satisfactory arrangements shall be made with the Los Angeles Department of Water and Power (LADWP) for compliance with LADWP's Water System Rules and requirements. Upon compliance with these conditions and requirements, LADWP's Water Services Organization will forward the necessary clearances to the Bureau of Engineering. (This condition shall be deemed cleared at the time the City Engineer clears Condition No. S-1.(c).)

Questions should be directed to the Los Angeles Department of Water and Power, Water Distribution Engineering, P.O. Box 51111, Room 1425, Los Angeles, California 90051-5700 or (213) 367-1120.

URBAN FORESTRY DIVISION AND THE DEPARTMENT OF CITY PLANNING

35. Prior to the issuance of a grading permit, the applicant shall submit a tree report and landscape plan prepared by an designated oak tree expert as designated by LAMC Ordinance No. 153,478, for approval by the City Planning Department and the Urban Forestry Division of the Bureau of Street Services.

Plant street trees and remove any existing trees within dedicated streets or proposed dedicated streets as required by the Urban Forestry Division of the Bureau of Street Services and the Advisory Agency. All street tree plantings shall be brought up to current standards. When the City has previously been paid for

tree plantings, the subdivider or contractor shall notify the Urban Forestry Division upon completion of construction.

Note: Removals of Protected requires the Board of Public Works approval. Contact: Urban Forestry Division at: (213) 485-5675.

BUREAU OF STREET LIGHTING

36. If new street light(s) are required, then prior to the recordation of the final map or issuance of the Certificate of Occupancy (C of O), street lighting improvement plans shall be submitted for review and the owner shall provide a good faith effort via a ballot process for the formation or annexation of the property within the boundary of the development into a Street Lighting Maintenance Assessment District.

BUREAU OF SANITATION

37. Satisfactory arrangements shall be made with the Bureau of Sanitation, Wastewater Collection Systems Division for compliance with its sewer system review and requirements. Upon compliance with its conditions and requirements, the Bureau of Sanitation, Wastewater Collection Systems Division will forward the necessary clearances to the Bureau of Engineering. (This condition shall be deemed cleared at the time the City Engineer clears Condition No. S-1. (d).)

INFORMATION TECHNOLOGY AGENCY

38. That satisfactory arrangements be made in accordance with the requirements of the Information Technology Agency to assure that cable television facilities will be installed in the same manner as other required improvements. Refer to the LAMC Section 17.05-N. Written evidence of such arrangements must be submitted to the Information Technology Agency, 200 North Main Street, 12th Floor, Los Angeles, CA 90012, 213 922-8363.

DEPARTMENT OF CITY PLANNING-SITE SPECIFIC CONDITIONS

39. Prior to the recordation of the final map, the subdivider shall prepare and execute a Covenant and Agreement (Planning Department General Form CP-6770) in a manner satisfactory to the Planning Department, binding the subdivider and all successors to the following:
- a. Limit the proposed development to a maximum of 8 dwelling units.
 - b. Provide a minimum of 2 covered off-street parking spaces per dwelling unit, plus 1/4 (or) 1/2 guest parking spaces per dwelling unit. All guest spaces shall be readily accessible, conveniently located, specifically reserved for guest parking, posted and maintained satisfactory to the Department of Building and Safety.

If guest parking spaces are gated, a voice response system shall be installed at the gate. Directions to guest parking spaces shall be clearly posted. Tandem parking spaces shall not be used for guest parking.

In addition, prior to issuance of a building permit, a parking plan showing off-street parking spaces, as required by the Advisory Agency, be submitted for review and approval by the Department of City Planning (200 North Spring Street, Room 750).

- c. Prior to issuance of a certificate of occupancy, a minimum 6-foot-high slumpstone or decorative masonry wall shall be constructed adjacent to neighboring residences, if no such wall already exists, except in required front yard.
 - d. The applicant shall install air filters capable of achieving a Minimum Efficiency Rating Value (MERV) of at least 8 or better in order to reduce the effects of diminished air quality on the occupants of the project.
 - e. That a solar access report shall be submitted to the satisfaction of the Advisory Agency prior to obtaining a grading permit.
 - f. That the subdivider considers the use of natural gas and/or solar energy and consults with the Department of Water and Power and Southern California Gas Company regarding feasible energy conservation measures.
 - g. Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material.
 - h. The applicant shall install shielded lighting to reduce any potential illumination affecting adjacent properties.
40. Prior to the clearance of any tract map conditions, the applicant shall show proof that all fees have been paid to the Department of City Planning, Expedited Processing Section.
41. Prior to the issuance of the building permit or the recordation of the final map, a copy of ZA-2015-3142-ZV shall be submitted to the satisfaction of the Advisory Agency. In the event that ZA-2015-3142-ZV is not approved, the subdivider shall submit a tract modification.
42. That the subdivider shall record and execute a Covenant and Agreement to comply with [Q] Condition(s) per Ordinance No. 167,939.
43. That the applicant execute and record a Covenant and Agreement (Planning Department General Form CP-6770) in a form satisfactory to the Advisory Agency binding the applicant and any successor in interest to provide tenant relocation assistance and establish a relocation program in a manner consistent with LAMC Section 47.07 relating to demolition. The covenant and agreement shall be executed and recorded within 10 days after the expiration of the appeal period

(and final action thereon) and a copy provided to each eligible tenant within five days of recordation of the covenant and agreement.

44. INDEMNIFICATION AND REIMBURSEMENT OF LITIGATION COSTS

Applicant shall do all of the following:

- (a) Defend, indemnify and hold harmless the City from any and all actions against the City relating to or arising out of the City's processing and approval of this entitlement, including but not limited to, an action to attack, challenge, set aside, void, or otherwise modify or annul the approval of the entitlement, the environmental review of the entitlement, or the approval of subsequent permit decisions, or to claim personal property damage, including from inverse condemnation or any other constitutional claim.
- (b) Reimburse the City for any and all costs incurred in defense of an action related to or arising out of the City's processing and approval of the entitlement, including but not limited to payment of all court costs and attorney's fees, costs of any judgments or awards against the City (including an award of attorney's fees), damages, and/or settlement costs.
- (c) Submit an initial deposit for the City's litigation costs to the City within 10 days' notice of the City tendering defense to the Applicant and requesting a deposit. The initial deposit shall be in an amount set by the City Attorney's Office, in its sole discretion, based on the nature and scope of action, but in no event shall the initial deposit be less than \$25,000. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (b).
- (d) Submit supplemental deposits upon notice by the City. Supplemental deposits may be required in an increased amount from the initial deposit if found necessary by the City to protect the City's interests. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (b).
- (e) If the City determines it necessary to protect the City's interest, execute an indemnity and reimbursement agreement with the City under terms consistent with the requirements of this condition.

The City shall notify the applicant within a reasonable period of time of its receipt of any action and the City shall cooperate in the defense. If the City fails to notify the applicant of any claim, action, or proceeding in a reasonable time, or if the City fails to reasonably cooperate in the defense, the applicant shall not thereafter be responsible to defend, indemnify or hold harmless the City.

The City shall have the sole right to choose its counsel, including the City Attorney's office or outside counsel. At its sole discretion, the City may participate at its own expense in the defense of any action, but such participation shall not relieve the applicant of any obligation imposed by this condition. In the event the Applicant fails to comply with this condition, in whole or in part, the City may withdraw its defense of the action, void its approval of the entitlement, or take any other action. The City retains the right to make all decisions with respect to its representations in any legal proceeding, including its inherent right to abandon or settle litigation.

For purposes of this condition, the following definitions apply:

"City" shall be defined to include the City, its agents, officers, boards, commissions, committees, employees, and volunteers.

"Action" shall be defined to include suits, proceedings (including those held under alternative dispute resolution procedures), claims, or lawsuits. Actions includes actions, as defined herein, alleging failure to comply with any federal, state or local law.

Nothing in the definitions included in this paragraph are intended to limit the rights of the City or the obligations of the Applicant otherwise created by this condition.

DEPARTMENT OF CITY PLANNING-ENVIRONMENTAL MITIGATION MEASURES

45. Prior to recordation of the final map the subdivider shall prepare and execute a Covenant and Agreement (Planning Department General Form CP-6770) in a manner satisfactory to the Planning Department, binding the subdivider and all successors to the following:

- MM-1. All landscaped areas shall be maintained in accordance with a landscape plan, including an automatic irrigation plan, prepared by a licensed landscape architect in accordance with LAMC Sections 12.40 and 12.41. The final landscape plan shall be reviewed and approved by the City of Los Angeles Department of City Planning during the building permit process.
- MM-2. Outdoor lighting shall be designed and installed with shielding, such that the light source cannot be seen from adjacent residential properties, the public right-of-way, nor from above.
- MM-3. The exterior of the proposed structure shall be constructed of materials such as, but not limited to, high-performance and/or non-reflective tinted glass (no mirror-like tints or films) and pre-cast concrete or fabricated wall surfaces to minimize glare and reflected heat. IV-20. Habitat Modification Nesting Native Bird.

MM-4. The project will result in the removal of vegetation and disturbances to the ground and therefore may result in take of nesting native bird species. Migratory nongame native bird species are protected by international treaty under the Federal Migratory Bird Treaty Act (MBTA) of 1918 (50 C.F.R Section 10.13). Sections 3503, 3503.5 and 3513 of the California Fish and Game Code prohibit take of all birds and their active nests including raptors and other migratory nongame birds (as listed under the Federal MBTA).

Proposed project activities (including disturbances to native and non-native vegetation, structures and substrates) should take place outside of the breeding bird season which generally runs from March 1- August 31 (as early as February 1 for raptors) to avoid take (including disturbances which would cause abandonment of active nests containing eggs and/or young). Take means to hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture or kill (Fish and Game Code Section 86). If project activities cannot feasibly avoid the breeding bird season, beginning thirty days prior to the disturbance of suitable nesting habitat, the applicant shall:

- Arrange for weekly bird surveys to detect any protected native birds in the habitat to be removed and any other such habitat within properties adjacent to the project site, as access to adjacent areas allows. The surveys shall be conducted by a qualified biologist with experience in conducting breeding bird surveys. The surveys shall continue on a weekly basis with the last survey being conducted no more than 3 days prior to the initiation of clearance/construction work.
- If a protected native bird is found, the applicant shall delay all clearance/construction disturbance activities within 300 feet of suitable nesting habitat for the observed protected bird species until August 31.
- Alternatively, the Qualified Biologist could continue the surveys in order to locate any nests. If an active nest is located, clearing and construction within 300 feet of the nest or as determined by a qualified biological monitor, shall be postponed until the nest is vacated and juveniles have fledged and when there is no evidence of a second attempt at nesting. The buffer zone from the nest shall be established in the field with flagging and stakes. Construction personnel shall be instructed on the sensitivity of the area.
- The applicant shall record the results of the recommended protective measures described above to document compliance with applicable State and Federal laws pertaining to the protection of native birds. Such record shall be submitted and received into the case file for the associated discretionary action permitting the project.

- MM-5. Prior to the issuance of any permit, a plot plan shall be prepared indicating the location, size, type, and general condition of all existing trees on the site and within the adjacent public right(s)-of-way.

All significant (8-inch or greater trunk diameter, or cumulative trunk diameter if multi-trunked, as measured 54 inches above the ground) non-protected trees on the site proposed for removal shall be replaced at a 1:1 ratio with a minimum 24-inch box tree. Net, new trees, located within the parkway of the adjacent public right(s)-of-way, may be counted toward replacement tree requirements.

Removal or planting of any tree in the public right-of-way requires approval of the Board of Public Works. Contact Urban Forestry Division at: 213-847-3077. All trees in the public right-of-way shall be provided per the current standards of the Urban Forestry Division, Bureau of Street Services, Department of Public Works.

- MM-6. Removal of trees in the public right-of-way requires approval by the Board of Public Works. The required Tree Report shall include the location, size, type, and condition of all existing trees in the adjacent public right-of-way and shall be submitted for review and approval by the Urban Forestry Division of the Bureau of Street Services, Department of Public Works (213-847-3077). The plan shall contain measures recommended by the tree expert for the preservation of as many trees as possible. Measures such as replacement by a minimum of 24-inch box trees in the parkway and on the site, on a 1:1 basis, shall be required for the unavoidable loss of significant (8-inch or greater trunk diameter, or cumulative trunk diameter if multi-trunked, as measured 54 inches above the ground) trees in the public right-of-way. All trees in the public right-of-way shall be provided per the current Urban Forestry Division standards.
- MM-7. Low- and non-VOC containing paints, sealants, adhesives, solvents, asphalt primer, and architectural coatings (where used), or pre-fabricated architectural panels shall be used in the construction of the Project to reduce VOC emissions to the maximum extent practicable. Any new construction shall include 20 percent of parking spaces set aside for EV ready parking.
- MM-8. The surface of the playground and the sound barriers shall be constructed with materials with acoustically the lowest noise transmission quality commercially available to the satisfaction of the decision maker.
- MM-9. All exterior windows having a line of sight of a Major or Secondary Highway shall be constructed with double-pane glass and use exterior wall construction which provides a Sound Transmission Class (STC) value of 50, as determined in accordance with ASTM E90 and ASTM E413, or any amendment thereto.

MM-10. The plans shall incorporate the design guidelines relative to security, semi-public and private spaces, which may include but not be limited to access control to building, secured parking facilities, walls/fences with key systems, well-illuminated public and semi-public space designed with a minimum of dead space to eliminate areas of concealment, location of toilet facilities or building entrances in high-foot traffic areas, and provision of security guard patrol throughout the project site if needed. Please refer to "Design Out Crime Guidelines: Crime Prevention Through Environmental Design", published by the Los Angeles Police Department. Contact the Community Relations Division, located at 100 W. 1st Street, #250, Los Angeles, CA 90012; (213) 486-6000. These measures shall be approved by the Police Department prior to the issuance of building permits.

46. **Construction Mitigation Conditions** - Prior to the issuance of a grading or building permit, or the recordation of the final map, the subdivider shall prepare and execute a Covenant and Agreement (Planning Department General Form CP-6770) in a manner satisfactory to the Planning Department, binding the subdivider and all successors to the following:

- CM-1. Construction and demolition shall be restricted to the hours of 7:00 am to 6:00 pm Monday through Friday, and 8:00 am to 6:00 pm on Saturday.
- CM-2. Construction and demolition activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels.
- CM-3. The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices.
- CM-4. Temporary construction fencing shall be placed along the periphery of the active construction areas to screen as much of the construction activity from view at the local street level and to keep unpermitted persons from entering the construction area.
- CM-5. The developer shall install appropriate traffic signs around the site to ensure pedestrian and vehicle safety. There shall be no staging or parking of construction vehicles, including vehicles to transport workers on any of the streets adjacent to the school. Due to noise impacts on the schools, no construction vehicles or haul trucks shall be staged or idled on these streets during school hours.

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INFORMATION
<http://planning.lacity.org>

Decision Date: January 29, 2016

Appeal Period Ends: February 8, 2015

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Zone : [Q]RD1.5-1
D. M. : 177A151
C. D. : 4
CEQA : ENV-2015-3142-MND

In accordance with provisions of Los Angeles Municipal Code (LAMC) Sections 17.06, the Advisory Agency approved Tentative Tract Map No. 72973-CN, located at 14403-14411 West Tiara Street for a maximum of **eight (8) residential condominiums** as shown on map stamp-dated August 25, 2015 in the Van Nuys – North Sherman Oaks Community Plan. This unit density is based on the [Q]RD1.5-1 Zone. For an appointment with the Development Services Center call (213) 482-7077 or (818) 374-5050. The Advisory Agency's approval is subject to the following conditions:

NOTE on clearing conditions: When two or more **agencies** must clear a condition, subdivider should follow the sequence indicated in the condition. For the benefit of the applicant, subdivider shall maintain record of all conditions cleared, including all material supporting clearances and be prepared to present copies of the clearances to each reviewing agency as may be required by its staff at the time of its review.

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1. That any fee deficit under Work Order No. EXT00625 expediting this project be paid.

DEPARTMENT OF BUILDING AND SAFETY, GRADING DIVISION

3. Approval shall be obtained from the Department of Public Works, Bureau of Engineering, Constituent Service Division for the proposed removal of support and/or retaining of slopes adjoining to public way. (3307.3.2)
4. The soils engineer shall review and approve the detailed plans prior to issuance of any permit. This approval shall be by signature on the plans that clearly indicates the soils engineer has reviewed the plans prepared by the design engineer and that the plans included the recommendations contained in the soil reports. (7006.1)
5. All recommendations of the report by AGI Geotechnical, Inc. Dated 05/01/2015 signed by Juan A. Vidal, GE 861, which are in addition to or more restrictive than the conditions contained herein shall also be incorporated into the plans for the project. (7006.1)
6. A copy of the subject and appropriate referenced reports and this approval letter shall be attached to the District Office and field set of plans. Submit one copy of the above reports to the Building Department Plan Checker prior to issuance of the permit. (7006.1)
7. A grading permit shall be obtained for all structural fill and retaining wall backfill. (106.1.2)
8. All man-made fill shall be compacted to a minimum 90 percent of the maximum dry density of the fill material per the latest version of ASTM D 1557. Where cohesionless soil having less than 15 percent finer than 0.005 millimeters is used for fill, it shall be compacted to a minimum of 95 percent relative compaction based on maximum dry density (D1556). Placement of gravel in lieu of compacted fill is allowed only if complying with Section 91.7011.3 of the Code. (7011.3)
9. If import soils are used, no footings shall be poured until the soils engineer has submitted a compaction report containing in-place shear test data and settlement data to the Grading Division of the Department, and obtained approval. (7008.2)
10. Compacted fill shall extend beyond the footings a minimum distance equal to the depth of the fill below the bottom of footings or a minimum of three feet whichever is (7011.3).
11. Existing uncertified fill shall not be used for support of footings, concrete slabs or new fill. (1809.2)

12. Drainage in conformance with the provisions of the Code shall be maintained during and subsequent to construction. (7013.12)
13. Grading shall be scheduled for completion prior to the start of the rainy season, or detailed temporary erosion control plans shall be filed in a manner satisfactory to the Grading Division of the Department and the Department of Public Works, Bureau of Engineering, B-Permit Section, for any grading work in excess of 200 cubic yard. (7007.1)
14. The applicant is advised that the approval of this report does not waive the requirements for excavations contained in the State Construction Safety Orders enforced by the State Division of Industrial Safety. (3301.1)
15. Excavations shall not remove lateral support from a public way, adjacent property or an existing structure. Note: Lateral support shall be considered to be removed when the excavation extends below a plane projected downward at an angle of 45 degrees from the bottom of a footing of an existing structure, from the edge of the public way or an adjacent property. (3307.3.1)
16. A supplemental report shall be submitted to the Grading Division of the Department containing recommendations for shoring, underpinning, and sequence of construction in the event that any excavation would remove lateral support to the public way, adjacent property, or adjacent structures. A plot plan and cross-section(s) showing the construction type, number of stories, and location of the structures adjacent to the excavation shall be part of the excavation plans. (3307.3 & 7006.2)
17. Prior to the issuance of any permit which authorizes an excavation where the excavation is to be of a greater depth than are the walls or foundation of any adjoining building or structure and located closer to the property line than the depth of the excavation, the owner of the subject site shall provide the Department with evidence that the adjacent property owner has been given a 30-day written notice of such intent to make an excavation. (3307.1)
18. Unsurcharged temporary excavations over 5 feet exposing soil shall be trimmed back at a gradient not exceeding 1:1, as recommended.
19. All foundations shall derive entire support from properly placed fill, as recommended and approved by the soils engineer by inspection.
20. Footings supported on approved compacted fill shall be reinforced with a minimum of four (4) ½-inch diameter (#4) deformed reinforcing bars. Two (2) bars shall be placed near the bottom and two (2) bars placed near the top.
21. Slabs placed on approved compacted fill shall be at least 3½ inches thick and shall

- be reinforced with ½-inch diameter (#4) reinforcing bars spaced maximum of 16 inches on center each way.
22. The seismic design shall be based on a Site Class D as recommended. All other seismic design parameters shall be reviewed by LADBS building plan check.
 23. All roof and pad drainage shall be conducted to the street in an acceptable. (7013.10)
 24. An on-site storm water infiltration system at the subject site shall not be implemented, as recommended.
 25. All concentrated drainage shall be conducted in an approved device and disposed of in a manner approved by the LADBS. (7013.10)
 26. The soils engineer shall inspect all excavations to determine that conditions anticipated in the report have been encountered and to provide recommendations for the correction of hazards found during grading. (7008 & 1705.6)
 27. Prior to the pouring of concrete, a representative of the consulting soils engineer shall inspect and approve the footing excavations. He/She shall post a notice on the job site for the LADBS Building Inspector and the Contractor stating that the work so inspected meets the conditions of the report, but that no concrete shall be poured until the City Building Inspector has also inspected and approved the footing excavations. A written certification to this effect shall be filed with the Grading Division of the Department upon completion of the work. (108.9 & 7008.2)
 28. Prior to excavation, an initial inspection shall be called with LADBS Inspector at which time sequence of construction, shoring, protection fences and dust and traffic control will be scheduled. (108.9.1)
 29. Prior to the placing of compacted fill, a representative of the soils engineer shall inspect and approve the bottom excavations. He/She shall post a notice on the job site for the City Grading Inspector and the Contractor stating that the soil inspected meets the conditions of the report, but that no fill shall be placed until the LADBS Grading Inspector has also inspected and approved the bottom excavations. A written certification to this effect shall be included in the final compaction report filed with the Grading Division of the Department. All fill shall be placed under the inspection and approval of the soils engineer. A compaction report together with the approved soil report and Department approval letter shall be submitted to the Grading Division of the Department upon completion of the compaction. In addition, an Engineer's Certificate of Compliance with the legal description as indicated in the grading permit and the permit number shall be included. (7011.3)
 30. No footing/slab shall be poured until the compaction report is submitted and

approved by the Grading Division of the Department.

DEPARTMENT OF BUILDING AND SAFETY, ZONING DIVISION

31. Prior to recordation of the final map, the Department of Building and Safety, Zoning Division shall certify that no Building or Zoning Code violations exist on the subject site. In addition, the following items shall be satisfied:
- a. Obtain permits for the demolition or removal of all existing structures on the site. Accessory structures and uses are not permitted to remain on lots without a main structure or use. Provide copies of the demolition permits and signed inspection cards to show completion of the demolition work prior to obtaining the Zoning clearance.
 - b. Show all street dedication as required by Bureau of Engineering and provide net lot area after all dedication. "Area" requirements shall be re-checked as per net lot area after street dedication. Front yard requirement shall be required to comply with current code as measured from new property lines after dedications.

Notes:

The submitted Map may not comply with the number of guest parking spaces required by the Advisory Agency.

Any proposed structures or uses on the site have not been checked for and shall comply with Building and Zoning Code requirements. Plan check will be required before any construction, occupancy or change of use.

An appointment is required for the issuance of a clearance letter from the Department of Building and Safety. The applicant is asked to contact Laura Duong at (213) 482-0434 to schedule an appointment.

DEPARTMENT OF TRANSPORTATION

32. Prior to recordation of the final map, satisfactory arrangements shall be made with the Department of Transportation to assure:
- a. A 20-foot reservoir space be provided between any security gate(s) and the property line, after dedications, to the satisfaction of the Department of Transportation.
 - b. Parking stalls shall be designed so that a vehicle is not required to back into or out of any public street or sidewalk.

- c. A parking and driveway plan shall be submitted to the Citywide Planning Coordination Section of Department of Transportation for approval prior to submittal of building permit plans for plan check by the Department of Building and Safety. Transportation approvals are conducted at 201 North Figueroa Street, Suite 400, Station 3.
- d. A fee in the amount of \$197 be paid to the Department of Transportation as required per Ordinance No. 180,542 and LAMC Section 19.15 prior to recordation of the final map.

Note:

The applicant may be required to comply with any other applicable fees per this new ordinance.

FIRE DEPARTMENT

- 33. Prior to the recordation of the final map, a suitable arrangement shall be made satisfactory to the Fire Department, binding the subdivider and all successors to the following: (MM)
 - a. All homes shall have noncombustible roofs. (Non-wood)
 - b. Access for Fire Department apparatus and personnel to and into all structures shall be required.

DEPARTMENT OF RECREATION AND PARKS

- 34. That the Quimby fee be based on the [Q]RD1.5-1 Zone.

DEPARTMENT OF WATER AND POWER

- 35. Satisfactory arrangements shall be made with the Los Angeles Department of Water and Power (LADWP) for compliance with LADWP's Water System Rules and requirements. Upon compliance with these conditions and requirements, LADWP's Water Services Organization will forward the necessary clearances to the Bureau of Engineering. (This condition shall be deemed cleared at the time the City Engineer clears Condition No. S-1.(c).)

Questions should be directed to the Los Angeles Department of Water and Power, Water Distribution Engineering, P.O. Box 51111, Room 1425, Los Angeles, California 90051-5700 or (213) 367-1120.

URBAN FORESTRY DIVISION AND THE DEPARTMENT OF CITY PLANNING

- 36. Prior to the issuance of a grading permit, the applicant shall submit a tree report and landscape plan prepared by an designated oak tree expert as designated by

LAMC Ordinance No. 153,478, for approval by the City Planning Department and the Urban Forestry Division of the Bureau of Street Services.

Plant street trees and remove any existing trees within dedicated streets or proposed dedicated streets as required by the Urban Forestry Division of the Bureau of Street Services and the Advisory Agency. All street tree plantings shall be brought up to current standards. When the City has previously been paid for tree plantings, the subdivider or contractor shall notify the Urban Forestry Division upon completion of construction.

Note: Removals of Protected requires the Board of Public Works approval. Contact: Urban Forestry Division at: (213) 485-5675.

BUREAU OF STREET LIGHTING

1. If new street light(s) are required, then prior to the recordation of the final map or issuance of the Certificate of Occupancy (C of O), street lighting improvement plans shall be submitted for review and the owner shall provide a good faith effort via a ballot process for the formation or annexation of the property within the boundary of the development into a Street Lighting Maintenance Assessment District.

BUREAU OF SANITATION

2. Satisfactory arrangements shall be made with the Bureau of Sanitation, Wastewater Collection Systems Division for compliance with its sewer system review and requirements. Upon compliance with its conditions and requirements, the Bureau of Sanitation, Wastewater Collection Systems Division will forward the necessary clearances to the Bureau of Engineering. (This condition shall be deemed cleared at the time the City Engineer clears Condition No. S-1. (d).)

INFORMATION TECHNOLOGY AGENCY

3. That satisfactory arrangements be made in accordance with the requirements of the Information Technology Agency to assure that cable television facilities will be installed in the same manner as other required improvements. Refer to the LAMC Section 17.05-N. Written evidence of such arrangements must be submitted to the Information Technology Agency, 200 North Main Street, 12th Floor, Los Angeles, CA 90012, 213 922-8363.

DEPARTMENT OF CITY PLANNING-SITE SPECIFIC CONDITIONS

37. Prior to the recordation of the final map, the subdivider shall prepare and execute a Covenant and Agreement (Planning Department General Form CP-6770) in a manner satisfactory to the Planning Department, binding the subdivider and all successors to the following:

- a. Limit the proposed development to a maximum of 8 dwelling units.
- b. Provide a minimum of 2 covered off-street parking spaces per dwelling unit, plus 1/4 (or) 1/2 guest parking spaces per dwelling unit. All guest spaces shall be readily accessible, conveniently located, specifically reserved for guest parking, posted and maintained satisfactory to the Department of Building and Safety.

If guest parking spaces are gated, a voice response system shall be installed at the gate. Directions to guest parking spaces shall be clearly posted. Tandem parking spaces shall not be used for guest parking.

In addition, prior to issuance of a building permit, a parking plan showing off-street parking spaces, as required by the Advisory Agency, be submitted for review and approval by the Department of City Planning (200 North Spring Street, Room 750).

- c. Prior to issuance of a certificate of occupancy, a minimum 6-foot-high slumpstone or decorative masonry wall shall be constructed adjacent to neighboring residences, if no such wall already exists, except in required front yard.
 - d. The applicant shall install an air filters capable of achieving a Minimum Efficiency Rating Value (MERV) of at least 8 or better in order to reduce the effects of diminished air quality on the occupants of the project.
 - e. That a solar access report shall be submitted to the satisfaction of the Advisory Agency prior to obtaining a grading permit.
 - f. That the subdivider considers the use of natural gas and/or solar energy and consults with the Department of Water and Power and Southern California Gas Company regarding feasible energy conservation measures.
 - g. Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material.
 - h. The applicant shall install shielded lighting to reduce any potential illumination affecting adjacent properties.
38. Prior to the clearance of any tract map conditions, the applicant shall show proof that all fees have been paid to the Department of City Planning, Expedited Processing Section.
39. Prior to the issuance of the building permit or the recordation of the final map, a copy of ZA-2015-3142-ZV shall be submitted to the satisfaction of the Advisory

Agency. In the event that ZA-2015-3142-ZV is not approved, the subdivider shall submit a tract modification.

40. That the subdivider shall record and execute a Covenant and Agreement to comply with [Q] Condition(s) per Ordinance No. 167,939.
41. That the applicant execute and record a Covenant and Agreement (Planning Department General Form CP-6770) in a form satisfactory to the Advisory Agency binding the applicant and any successor in interest to provide tenant relocation assistance and establish a relocation program in a manner consistent with LAMC Section 47.07 relating to demolition. The covenant and agreement shall be executed and recorded within 10 days after the expiration of the appeal period (and final action thereon) and a copy provided to each eligible tenant within five days of recordation of the covenant and agreement.

42. INDEMNIFICATION AND REIMBURSEMENT OF LITIGATION COSTS

Applicant shall do all of the following:

- (a) Defend, indemnify and hold harmless the City from any and all actions against the City relating to or arising out of the City's processing and approval of this entitlement, including but not limited to, an action to attack, challenge, set aside, void, or otherwise modify or annul the approval of the entitlement, the environmental review of the entitlement, or the approval of subsequent permit decisions, or to claim personal property damage, including from inverse condemnation or any other constitutional claim.
- (b) Reimburse the City for any and all costs incurred in defense of an action related to or arising out of the City's processing and approval of the entitlement, including but not limited to payment of all court costs and attorney's fees, costs of any judgments or awards against the City (including an award of attorney's fees), damages, and/or settlement costs.
- (c) Submit an initial deposit for the City's litigation costs to the City within 10 days' notice of the City tendering defense to the Applicant and requesting a deposit. The initial deposit shall be in an amount set by the City Attorney's Office, in its sole discretion, based on the nature and scope of action, but in no event shall the initial deposit be less than \$25,000. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (b).
- (d) Submit supplemental deposits upon notice by the City. Supplemental deposits may be required in an increased amount from the initial deposit

if found necessary by the City to protect the City's interests. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (b).

- (e) If the City determines it necessary to protect the City's interest, execute an indemnity and reimbursement agreement with the City under terms consistent with the requirements of this condition.

The City shall notify the applicant within a reasonable period of time of its receipt of any action and the City shall cooperate in the defense. If the City fails to notify the applicant of any claim, action, or proceeding in a reasonable time, or if the City fails to reasonably cooperate in the defense, the applicant shall not thereafter be responsible to defend, indemnify or hold harmless the City.

The City shall have the sole right to choose its counsel, including the City Attorney's office or outside counsel. At its sole discretion, the City may participate at its own expense in the defense of any action, but such participation shall not relieve the applicant of any obligation imposed by this condition. In the event the Applicant fails to comply with this condition, in whole or in part, the City may withdraw its defense of the action, void its approval of the entitlement, or take any other action. The City retains the right to make all decisions with respect to its representations in any legal proceeding, including its inherent right to abandon or settle litigation.

For purposes of this condition, the following definitions apply:

"City" shall be defined to include the City, its agents, officers, boards, commissions, committees, employees, and volunteers.

"Action" shall be defined to include suits, proceedings (including those held under alternative dispute resolution procedures), claims, or lawsuits. Actions includes actions, as defined herein, alleging failure to comply with any federal, state or local law.

Nothing in the definitions included in this paragraph are intended to limit the rights of the City or the obligations of the Applicant otherwise created by this condition.

DEPARTMENT OF CITY PLANNING-ENVIRONMENTAL MITIGATION MEASURES

- 43. Prior to recordation of the final map the subdivider shall prepare and execute a Covenant and Agreement (Planning Department General Form CP-6770) in a manner satisfactory to the Planning Department, binding the subdivider and all successors to the following:

- MM-1. All landscaped areas shall be maintained in accordance with a landscape plan, including an automatic irrigation plan, prepared by a licensed landscape architect in accordance with LAMC Sections 12.40 and 12.41. The final landscape plan shall be reviewed and approved by the City of Los Angeles Department of City Planning during the building permit process.
- MM-2. Outdoor lighting shall be designed and installed with shielding, such that the light source cannot be seen from adjacent residential properties, the public right-of-way, nor from above.
- MM-3. The exterior of the proposed structure shall be constructed of materials such as, but not limited to, high-performance and/or non-reflective tinted glass (no mirror-like tints or films) and pre-cast concrete or fabricated wall surfaces to minimize glare and reflected heat. IV-20. Habitat Modification Nesting Native Bird.
- MM-4. The project will result in the removal of vegetation and disturbances to the ground and therefore may result in take of nesting native bird species. Migratory nongame native bird species are protected by international treaty under the Federal Migratory Bird Treaty Act (MBTA) of 1918 (50 C.F.R Section 10.13). Sections 3503, 3503.5 and 3513 of the California Fish and Game Code prohibit take of all birds and their active nests including raptors and other migratory nongame birds (as listed under the Federal MBTA).

Proposed project activities (including disturbances to native and non-native vegetation, structures and substrates) should take place outside of the breeding bird season which generally runs from March 1- August 31 (as early as February 1 for raptors) to avoid take (including disturbances which would cause abandonment of active nests containing eggs and/or young). Take means to hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture or kill (Fish and Game Code Section 86). If project activities cannot feasibly avoid the breeding bird season, beginning thirty days prior to the disturbance of suitable nesting habitat, the applicant shall:

- Arrange for weekly bird surveys to detect any protected native birds in the habitat to be removed and any other such habitat within properties adjacent to the project site, as access to adjacent areas allows. The surveys shall be conducted by a qualified biologist with experience in conducting breeding bird surveys. The surveys shall continue on a weekly basis with the last survey being conducted no more than 3 days prior to the initiation of clearance/construction work.

- If a protected native bird is found, the applicant shall delay all clearance/construction disturbance activities within 300 feet of suitable nesting habitat for the observed protected bird species until August 31.
- Alternatively, the Qualified Biologist could continue the surveys in order to locate any nests. If an active nest is located, clearing and construction within 300 feet of the nest or as determined by a qualified biological monitor, shall be postponed until the nest is vacated and juveniles have fledged and when there is no evidence of a second attempt at nesting. The buffer zone from the nest shall be established in the field with flagging and stakes. Construction personnel shall be instructed on the sensitivity of the area.
- The applicant shall record the results of the recommended protective measures described above to document compliance with applicable State and Federal laws pertaining to the protection of native birds. Such record shall be submitted and received into the case file for the associated discretionary action permitting the project.

MM-5. Prior to the issuance of any permit, a plot plan shall be prepared indicating the location, size, type, and general condition of all existing trees on the site and within the adjacent public right(s)-of-way.

All significant (8-inch or greater trunk diameter, or cumulative trunk diameter if multi-trunked, as measured 54 inches above the ground) non-protected trees on the site proposed for removal shall be replaced at a 1:1 ratio with a minimum 24-inch box tree. Net, new trees, located within the parkway of the adjacent public right(s)-of-way, may be counted toward replacement tree requirements.

Removal or planting of any tree in the public right-of-way requires approval of the Board of Public Works. Contact Urban Forestry Division at: 213-847-3077. All trees in the public right-of-way shall be provided per the current standards of the Urban Forestry Division, Bureau of Street Services, Department of Public Works.

MM-6. Removal of trees in the public right-of-way requires approval by the Board of Public Works. The required Tree Report shall include the location, size, type, and condition of all existing trees in the adjacent public right-of-way and shall be submitted for review and approval by the Urban Forestry Division of the Bureau of Street Services, Department of Public Works (213-847-3077). The plan shall contain measures recommended by the tree expert for the preservation of as many trees as possible. Measures

such as replacement by a minimum of 24-inch box trees in the parkway and on the site, on a 1:1 basis, shall be required for the unavoidable loss of significant (8-inch or greater trunk diameter, or cumulative trunk diameter if multi-trunked, as measured 54 inches above the ground) trees in the public right-of-way. All trees in the public right-of-way shall be provided per the current Urban Forestry Division standards.

- MM-7. Low- and non-VOC containing paints, sealants, adhesives, solvents, asphalt primer, and architectural coatings (where used), or pre-fabricated architectural panels shall be used in the construction of the Project to reduce VOC emissions to the maximum extent practicable. Any new construction shall include 20 percent of parking spaces set aside for EV ready parking.
- MM-8. The surface of the playground and the sound barriers shall be constructed with materials with acoustically the lowest noise transmission quality commercially available to the satisfaction of the decision maker.
- MM-9. All exterior windows having a line of sight of a Major or Secondary Highway shall be constructed with double-pane glass and use exterior wall construction which provides a Sound Transmission Class (STC) value of 50, as determined in accordance with ASTM E90 and ASTM E413, or any amendment thereto.
- MM-10. The plans shall incorporate the design guidelines relative to security, semi-public and private spaces, which may include but not be limited to access control to building, secured parking facilities, walls/fences with key systems, well-illuminated public and semi-public space designed with a minimum of dead space to eliminate areas of concealment, location of toilet facilities or building entrances in high-foot traffic areas, and provision of security guard patrol throughout the project site if needed. Please refer to "Design Out Crime Guidelines: Crime Prevention Through Environmental Design", published by the Los Angeles Police Department. Contact the Community Relations Division, located at 100 W. 1st Street, #250, Los Angeles, CA 90012; (213) 486-6000. These measures shall be approved by the Police Department prior to the issuance of building permits.

44. **Construction Mitigation Conditions** - Prior to the issuance of a grading or building permit, or the recordation of the final map, the subdivider shall prepare and execute a Covenant and Agreement (Planning Department General Form CP-6770) in a manner satisfactory to the Planning Department, binding the subdivider and all successors to the following:

- CM-1. Construction and demolition shall be restricted to the hours of 7:00 am to 6:00 pm Monday through Friday, and 8:00 am to 6:00 pm on Saturday.
- CM-2. Construction and demolition activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels.
- CM-3. The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices.
- CM-4. Temporary construction fencing shall be placed along the periphery of the active construction areas to screen as much of the construction activity from view at the local street level and to keep unpermitted persons from entering the construction area.
- CM-5. The developer shall install appropriate traffic signs around the site to ensure pedestrian and vehicle safety. There shall be no staging or parking of construction vehicles, including vehicles to transport workers on any of the streets adjacent to the school. Due to noise impacts on the schools, no construction vehicles or haul trucks shall be staged or idled on these streets during school hours.

DEPARTMENT OF CITY PLANNING-STANDARD CONDOMINIUM CONDITIONS

- C-1. That approval of this tract constitutes approval of model home uses, including a sales office and off-street parking. Where the existing zoning is (T) or (Q) for multiple residential use, no construction or use shall be permitted until the final map has recorded or the proper zone has been effectuated. If models are constructed under this tract approval, the following conditions shall apply:
 - 1. Prior to recordation of the final map, the subdivider shall submit a plot plan for approval by the Division of Land Section of the Department of City Planning showing the location of the model dwellings, sales office and off-street parking. The sales office must be within one of the model buildings.
 - 2. All other conditions applying to Model Dwellings under LAMC Sections 12.22-A, 10 and 11 and LAMC Section 17.05-O shall be fully complied with satisfactory to the Department of Building and Safety.
- C-2. Prior to the recordation of the final map, the subdivider shall pay or guarantee the payment of a park and recreation fee based on the latest fee rate schedule applicable. The amount of said fee to be established by the Advisory Agency in accordance with LAMC Section 17.12 and is to be paid and deposited in the trust accounts of the Park and Recreation Fund.
- C-3. Prior to obtaining any grading or building permits before the recordation of the final

map, a landscape plan prepared by a licensed landscape architect, shall be submitted to and approved by the Advisory Agency in accordance with CP-6730.

In the event the subdivider decides not to request a permit before the recordation of the final map, a covenant and agreement satisfactory to the Advisory Agency guaranteeing the submission of such plan before obtaining any permit shall be recorded.

- C-4. In order to expedite the development, the applicant may apply for a building permit for an apartment building. However, prior to issuance of a building permit for apartments, the registered civil engineer, architect or licensed land surveyor shall certify in a letter to the Advisory Agency that all applicable tract conditions affecting the physical design of the building and/or site have been included into the building plans. Such letter is sufficient to clear this condition. In addition, all of the applicable tract conditions shall be stated in full on the building plans and a copy of the plans shall be reviewed and approved by the Advisory Agency prior to submittal to the Department of Building and Safety for a building permit.

OR

If a building permit for apartments will not be requested, the project civil engineer, architect or licensed land surveyor must certify in a letter to the Advisory Agency that the applicant will not request a permit for apartments and intends to acquire a building permit for a condominium building(s). Such letter is sufficient to clear this condition.

BUREAU OF ENGINEERING - STANDARD CONDITIONS

- S-1. (a) That the sewerage facilities charge be deposited prior to recordation of the final map over all of the tract in conformance with Section 64.11.2 of the LAMC.
- (b) That survey boundary monuments be established in the field in a manner satisfactory to the City Engineer and located within the California Coordinate System prior to recordation of the final map. Any alternative measure approved by the City Engineer would require prior submission of complete field notes in support of the boundary survey.
- (c) That satisfactory arrangements be made with both the Water System and the Power System of the Department of Water and Power with respect to water mains, fire hydrants, service connections and public utility easements.
- (d) That any necessary sewer, street, drainage and street lighting easements be dedicated. In the event it is necessary to obtain off-site easements by separate instruments, records of the Bureau of Right-of-Way and Land shall verify that such easements have been obtained. The above requirements do

not apply to easements of off-site sewers to be provided by the City.

- (e) That drainage matters be taken care of satisfactory to the City Engineer.
 - (f) That satisfactory street, sewer and drainage plans and profiles as required, together with a lot grading plan of the tract and any necessary topography of adjoining areas be submitted to the City Engineer.
 - (g) That any required slope easements be dedicated by the final map.
 - (h) That each lot in the tract complies with the width and area requirements of the Zoning Ordinance.
 - (i) That 1-foot future streets and/or alleys be shown along the outside of incomplete public dedications and across the termini of all dedications abutting unsubdivided property. The 1-foot dedications on the map shall include a restriction against their use of access purposes until such time as they are accepted for public use.
 - (j) That any 1-foot future street and/or alley adjoining the tract be dedicated for public use by the tract, or that a suitable resolution of acceptance be transmitted to the City Council with the final map.
 - (k) That no public street grade exceeds 15%.
 - (l) That any necessary additional street dedications be provided to comply with the Americans with Disabilities Act (ADA) of 1990.
- S-2. That the following provisions be accomplished in conformity with the improvements constructed herein:
- (a) Survey monuments shall be placed and permanently referenced to the satisfaction of the City Engineer. A set of approved field notes shall be furnished, or such work shall be suitably guaranteed, except where the setting of boundary monuments requires that other procedures be followed.
 - (b) Make satisfactory arrangements with the Department of Transportation with respect to street name, warning, regulatory and guide signs.
 - (c) All grading done on private property outside the tract boundaries in connection with public improvements shall be performed within dedicated slope easements or by grants of satisfactory rights of entry by the affected property owners.
 - (d) All improvements within public streets, private street, alleys and easements shall be constructed under permit in conformity with plans and specifications approved by the Bureau of Engineering.

- (e) Any required bonded sewer fees shall be paid prior to recordation of the final map.
- S-3. That the following improvements be either constructed prior to recordation of the final map or that the construction be suitably guaranteed:
- (a) Construct on-site sewers to serve the tract as determined by the City Engineer.
 - (b) Construct any necessary drainage facilities.
 - (c) Install street lighting facilities to serve the tract as required by the Bureau of Street Lighting.
 - (d) Plant street trees and remove any existing trees within dedicated streets or proposed dedicated streets as required by the Urban Forestry Division of the Bureau of Street Maintenance. All street tree plantings shall be brought up to current standards. When the City has previously been paid for tree planting, the subdivider or contractor shall notify the Urban Forestry Division (213-485-5675) upon completion of construction to expedite tree planting.
 - (e) Repair or replace any off-grade or broken curb, gutter and sidewalk satisfactory to the City Engineer.
 - (f) Construct access ramps for the handicapped as required by the City Engineer.
 - (g) Close any unused driveways satisfactory to the City Engineer.
 - (h) Construct any necessary additional street improvements to comply with the Americans with Disabilities Act (ADA) of 1990.
 - (i) That the following improvements be either constructed prior to recordation of the final map or that the construction be suitably guaranteed:
 - a. Improve Tiara Street adjoining the subdivision by the construction of the followings:
 - (1) A concrete curb, a concrete gutter, and a 10-foot full-width concrete sidewalk with tree wells or 5- foot concrete sidewalk and landscaping of the parkway.
 - (2) Suitable surfacing to join the existing pavements and to complete an 18-foot half roadway.

(3) Any necessary removal and reconstruction of existing improvements.

(4) The necessary transitions to join the existing improvements.

NOTES:

The Advisory Agency approval is the maximum number of units permitted under the tract action. However the existing or proposed zoning may not permit this density.

Approval from Board of Public Works may be necessary before removal of any street trees in conjunction with the improvements in this tract map through Bureau of Street Services Urban Forestry Division.

Satisfactory arrangements shall be made with the Los Angeles Department of Water and Power, Power System, to pay for removal, relocation, replacement or adjustment of power facilities due to this development. The subdivider must make arrangements for the underground installation of all new utility lines in conformance with LAMC Section 17.05N.

The final map must record within 36 months of this approval, unless a time extension is granted before the end of such period.

The Advisory Agency hereby finds that this tract conforms to the California Water Code, as required by the Subdivision Map Act.

The subdivider should consult the Department of Water and Power to obtain energy saving design features which can be incorporated into the final building plans for the subject development. As part of the Total Energy Management Program of the Department of Water and Power, this no-cost consultation service will be provided to the subdivider upon his request.

FINDINGS OF FACT (CEQA)

The Department of City Planning issued Mitigated Negative Declaration No. ENV-2015-3143-MND on January 6, 2016. The Department found that potential negative impact could occur from the project's implementation due to:

Aesthetics (light)

Noise (construction, operational, ambient noise)

The Deputy Advisory Agency certifies that Mitigated Negative Declaration No. ENV-2015-3143-MND reflects the independent judgment of the lead agency and determined that this project would not have a significant effect upon the environment provided the potential impacts identified above are mitigated to a less than significant level through implementation of the conditions of the Tract's approval. Other identified potential impacts not mitigated by these conditions are mandatorily subject to existing City ordinances, (Sewer Ordinance, Grading Ordinance, Flood Plain Management Specific Plan,

Landscape Ordinance, Stormwater Ordinance, etc.) which are specifically intended to mitigate such potential impacts on all projects.

The project site, as well as the surrounding area are presently developed with structures and do not provide a natural habitat for either fish or wildlife.

In accordance with Section 21081.6 of the Public Resources Code (AB 3180), the Deputy Advisory Agency has assured that the above identified mitigation measures will be implemented by adopting the attached Mitigation Monitoring Program for ENV-2015-3143-MND. The custodian of the documents or other material which constitute the record of proceedings upon which the Advisory Agency's decision is based are located with the City of Los Angeles, Planning Department, 200 North Spring Street, Room 750, Los Angeles, CA 90012.

FINDINGS OF FACT (SUBDIVISION MAP ACT)

In connection with the approval of Tentative Tract Map No. 72973 - CN, the Advisory Agency of the City of Los Angeles, pursuant to Sections 66473.1, 66474.60, .61 and .63 of the State of California Government Code (the Subdivision Map Act), makes the prescribed findings as follows:

(a) **THE PROPOSED MAP WILL BE/IS CONSISTENT WITH APPLICABLE GENERAL AND SPECIFIC PLANS.**

The subject site is located in the Van Nuys - North Sherman Oaks Community Plan, which designates the subject property for Low Medium II Residential land uses with the corresponding zone of [Q]RD1.5-1. The property is not located within a Specific Plan. The property contains approximately 0.317 net acres (13,813 square feet) after the required dedications. The applicant is proposing to develop eight (8) condominium homes on a site consisting of eight (8) small lots, per the Subdivision Map Act.

The Van Nuys - North Sherman Oaks Community Plan, a part of the Land Use Element of the City's General Plan, states the following goal relevant to the current project:

Goal 1: To make provision for the housing required to satisfy the varying needs and desires of all economic segments of the Community, maximizing the opportunity for individual choice.

The project will meet the intent of the aforementioned Community Plan language and will provide much needed new home ownership opportunities for the Van Nuys - North Sherman Oaks Community Plan area in the form of residential condominiums. By dividing the lot into several units, and the proposed project will be replacing two single-family dwelling units with eight new condominium homes.

The site is not subject to the Specific Plan for the Management of Flood Hazards (floodways, floodplains, mud prone areas, coastal high-hazard and flood-related erosion hazard areas). As such, the Advisory Agency concludes that the proposed tract map is consistent with the intent and purpose of the General Plan.

(b) THE DESIGN AND IMPROVEMENT OF THE PROPOSED SUBDIVISION ARE CONSISTENT WITH APPLICABLE GENERAL AND SPECIFIC PLANS.

The design and improvement of the proposed subdivision are consistent with the Van Nuys – North Sherman Oaks Community Plan and are not subject to any Specific Plan requirements. The project site is located on the north side of West Tiara Street between Van Nuys Boulevard and Tyrone Avenue in the Van Nuys neighborhood of Los Angeles.

For the purposes of approving a condominium project, the “design” of the tract or parcel map refers to the configuration and layout of the proposed lots in addition to the proposed site plan layout and building design. Easements and/or access and “improvements” refers to the infrastructure facilities serving the condominium. The project was reviewed by various city agencies that have the authority to make improvement recommendations. Staff received recommendations from the Bureau of Engineering for the construction of the necessary on-site mainline, all necessary street improvements will be made to comply with the Americans with Disabilities Act (ADA) of 1990. No dedications or other improvements are required.

As conditioned, the design and improvements of the proposed subdivision are consistent with the applicable General Plan.

(c) THE SITE IS PHYSICALLY SUITABLE FOR THE PROPOSED TYPE OF DEVELOPMENT.

A mix of low-density residential uses and commercial uses makes up the general character of the surrounding neighborhood. The properties surrounding the project site are zoned [Q]RD1.5-1, [Q]RD2-1 and CM-1. Adjoining and adjacent properties on the same block face between Van Nuys Boulevard and Tyrone Avenue are developed with single family and multi-family units. Properties to the north are improved offices and retail spaces. Properties to the south are developed with a multi-unit apartment and single family homes.

The project site, which is underutilized and consisting of 13,813 square feet of land, is currently improved with two single-family units which will be demolished as part of the implementation of the proposed project. The proposed project is considered an infill development in a neighborhood that has residential uses and is consistent with the density and height district of the [Q]RD1.5-1 Zone. The project site is located within 7.422 kilometers of the Hollywood Fault.

The site is in a liquefaction zone. The site is not in a landslide area, a tsunami-

inundation zone, flood-prone area, or a High Wind Velocity Area. The site is not identified as having hazardous waste or past remediation. The site is not within a Flood Zone.

As conditioned, the site will be physically suitable for the proposed type of development.

(d) THE SITE IS PHYSICALLY SUITABLE FOR THE PROPOSED DENSITY OF DEVELOPMENT.

Adjacent land uses consist of commercial and residential uses. The project proposes the development of eight (8) condominium homes consistent with the density of the [Q]RD1.5-1 Zone. The applicant is permitted to construct nine (9) residential units by-right per the [Q]RD1.5-1 Zone.

The proposed project would provide an appropriate infill development between the single family to the east and multi-unit apartment to the west, a multi-unit apartment and single family homes to the south, and auto repair, office and retail to the north. The site is currently developed with two single-family dwellings. The proposed project will comply with all LAMC requirements for parking, yards, and open space in accordance with Ordinance No. 176,354. As conditioned the proposed tract map is physically suitable for the proposed density of the development.

(e) THE DESIGN OF THE SUBDIVISION AND THE PROPOSED IMPROVEMENTS ARE NOT LIKELY TO CAUSE SUBSTANTIAL ENVIRONMENTAL DAMAGE OR SUBSTANTIALLY AND AVOIDABLY INJURE FISH OR WILDLIFE OR THEIR HABITAT.

The project site, as well as the surrounding area are presently developed with structures and do not provide a natural habitat for fish. The Department of Fish and Wildlife has recommended that mitigation measure regarding nesting native birds be conditioned with the approval of the tract. On January 6, 2016, the City Planning Department issued Mitigated Negative Declaration No. ENV-2015-3143-MND. This Mitigated Negative Declaration reflects the independent judgment of the lead agency and determined that this project would not have a significant effect upon the environment provided the potential impacts are mitigated to a less than significant level. The custodian of the documents or other material which constitute the record of proceedings upon which the decision is based are located with the City of Los Angeles, Planning Department located at 200 North Spring Street, Room 750, Los Angeles, California 90012.

(f) THE DESIGN OF THE SUBDIVISION AND THE PROPOSED IMPROVEMENTS ARE NOT LIKELY TO CAUSE SERIOUS PUBLIC HEALTH PROBLEMS.

There appears to be no potential public health problems caused by the design or improvement of the proposed subdivision. The development is required to be

connected to the City's sanitary sewer system, where the sewage will be directed to the LA Hyperion Treatment Plant, which has been upgraded to meet statewide ocean discharge standards.

The Bureau of Engineering has reported that the proposed subdivision does not violate the existing California Water Code because the subdivision will be connected to the public sewer system and will have only a minor incremental impact on the quality of the effluent from the Hyperion Treatment Plant.

- (g) THE DESIGN OF THE SUBDIVISION AND THE PROPOSED IMPROVEMENTS WILL NOT CONFLICT WITH EASEMENTS ACQUIRED BY THE PUBLIC AT LARGE FOR ACCESS THROUGH OR USE OF PROPERTY WITHIN THE PROPOSED SUBDIVISION.

No such easements are known to exist. Needed public access for roads and utilities will be acquired by the City prior to the recordation of the proposed tract.

The Bureau of Engineering has reported that the proposed subdivision does not violate the existing California Water Code because the subdivision will be connected to the public sewer system and will have only a minor impact on the quality of the effluent from the Hyperion Treatment Plant.

- (h) THE DESIGN OF THE PROPOSED SUBDIVISION WILL PROVIDE, TO THE EXTENT FEASIBLE, FOR FUTURE PASSIVE OR NATURAL HEATING OR COOLING OPPORTUNITIES IN THE SUBDIVISION. (REF. SECTION 66473.1)

In assessing the feasibility of passive or natural heating or cooling opportunities in the proposed subdivision design, the applicant has prepared and submitted materials which consider the local climate, contours, configuration of the parcel to be subdivided and other design and improvement requirements.

Providing for passive or natural heating or cooling opportunities will not result in reducing allowable densities or the percentage of a lot which may be occupied by a building or structure under applicable planning and zoning in effect at the time the tentative map was filed.

The lot layout of the subdivision has taken into consideration the maximizing of the north/south orientation.

The topography of the site has been considered in the maximization of passive or natural heating and cooling opportunities.

In addition, prior to obtaining a building permit, the subdivider shall consider building construction techniques, such as overhanging eaves, location of windows, insulation, exhaust fans, planting of trees for shade purposes and the height of the buildings on the site in relation to adjacent development.

These findings shall apply to both the tentative and final maps for Tentative Tract Map No. 72973-CN.

Michael J. LoGrande
Advisory Agency



Fernando Tovar
Deputy Advisory Agency

FT:JC:JH

Note: If you wish to file an appeal, it must be filed within 10 calendar days from the decision date as noted in this letter. For an appeal to be valid to the Central Area Planning Commission, it must be accepted as complete by the City Planning Department and appeal fees paid, prior to expiration of the above 10-day time limit. Such appeal must be submitted on Master Appeal Form No. CP-7769 at the Department's Public Offices, located at:

Figueroa Plaza
201 N. Figueroa St., 4th Floor
Los Angeles, CA 90012
213 482-7077

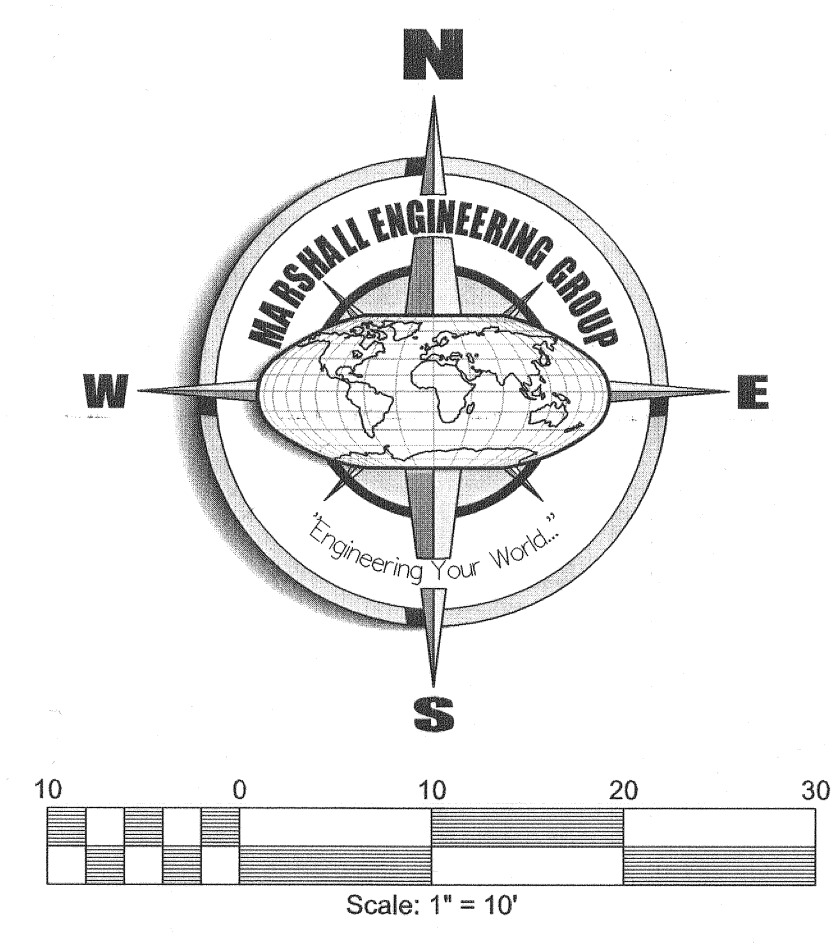
Marvin Braude San Fernando Valley
Constituent Service Center
6262 Van Nuys Blvd., Room 251
Van Nuys, CA 91401
818 374-5050

Forms are also available on-line at <http://cityplanning.lacity.org/>.

If you seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, the petition for writ of mandate pursuant to that section must be filed no later than the 90th day following the date on which the City's decision became final pursuant to California Code of Civil Procedure Section 1094.6. There may be other time limits which also affect your ability to seek judicial review.

If you have any questions, please call Development Services Center staff at (213) 482-7077 or (818) 374-5050.

FOR CONDOMINIUM PURPOSES
14403 & 14411 TIARA STREET



PROPERTY OWNER / APPLICANT AND SUBDIVIDER

BAYSTONE HOLDING LLC, A NEVADA LIMITED LIABILITY COMPANY
KEVIN ZHANG
1619 N. GARVEY AVE. #207, POMONA, CA 91790
(626) 373-1234

REPRESENTATIVE

JULIA LEE / JOHNATHAN PAE
1125 W. 6TH ST. SUITE 205, LOS ANGELES, CA 90017
(213) 531-6531

ZONING

[O]RD1.5-1

LEGAL DESCRIPTION

LOTS 41 AND 42 OF TRACT NO. 6142 IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA AS PER MAP RECORDED IN BOOK 67, PAGE 80, OF MAPS IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

ASSESSOR'S PARCEL NUMBER

2245-002-027

PARCEL AREA

16,810 SQ. FT GROSS (0.386 AC)
13,810 SQ. FT NET (0.317 AC)

- NOTE:
- [O]RD1.5-1 ZONE NO ZONE CHANGE
 - ALL EXISTING TREES ON SITE TO BE REMOVED
"NO OAKS, WESTERN SYCAMORE, CALIFORNIA BAY OR SOUTHERN CALIFORNIA BLACK WALNUT TREES ON PROPERTY".
 - ALL EXISTING STRUCTURES ON SITE TO BE REMOVED
SITE HAS 2 SINGLE FAMILY DWELLINGS TO BE REMOVED.
 - THERE ARE NO OTHER HAZARDS OR HAZARDOUS MATERIALS ON PROPERTY.
 - PARKING SPACE: 16 TENANT AND 2 GUEST SPACES.
 - SEWAGE DISPOSAL BY UNDERGROUND SEWER SYSTEM.
 - SURFACE AND CONTRIBUTORY DRAINAGE TO BE CONVEYED TO THE STREET.
 - THERE ARE NO EASEMENTS ON THE SUBJECT PROPERTY EXCEPT AS SHOWN.

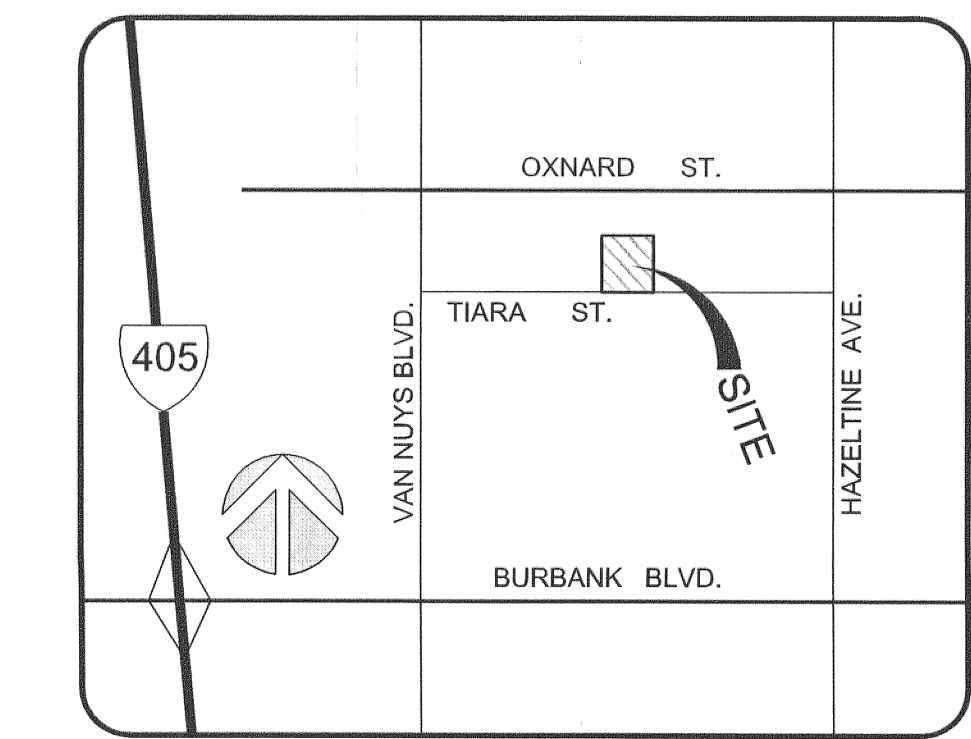
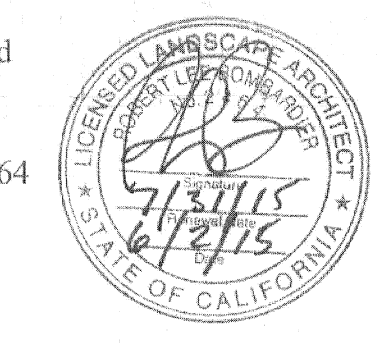
LEGEND

SYMBOL	DESCRIPTION
1000	PROPOSED CONTOUR
(1426.00)	EXISTING CONTOUR
10.00	PROPOSED ELEVATION
(10.00)	EXISTING ELEVATION
---	CENTER LINE
---	PROPERTY LINE
---	FLOWLINE
---	FLOW DIRECTION
---	SHEET FLOW

There are four non-native trees with a trunk of at least 8 inches at DBH (diameter at breast height). They do not qualify as protected. All are in good health.

L. Newman Design Group
John Oblinger
ISA Certified Arborist WE-6820A
ISA Tree Risk Assessment Qualified

Robert Bombardier
ASLA California State License #2464



VICINITY MAP

N.T.S.
THOMAS BROS: PG 562, A1

LOS ANGELES DEPT. OF CITY PLANNING
SUBMITTED FOR FILING
[X] TENTATIVE MAP
AUG 25 2015
[] REVISED MAP [] EXTENSION OF TIME
[] FINAL MAP UNIT [] MODIFIED
DEPUTY ADVISORY AGENCY



MARSHALL ENGINEERING GROUP, INC.
625 E. ARROW HWY STE. 7, GLEN DORA, CA 91740
PHONE: (626) 914-5788 FAX: (626) 914-5757 WEB: www.megi.us

CITY OF
LOS ANGELES

TENTATIVE PARCEL MAP FOR CONDOMINIUM PURPOSES

14403 - 14411 TIARA STREET
LOS ANGELES, CA
LOTS 41 & 42 OF TRACT 6142

Plan No.: 14-023	Scale: 1"=10'
Date: 5/8/2015	Drawn by: SWM
Sheet 1 of 1 Sheets	File No.:



WILLIAM M. RAYMOND JR. L.S. 7279 EXP.12/31/2016

Benchmark: 08-12152

SPIKE EAST CURB OF VAN NUYS BLVD; 5.0 FEET NORTH OF BCR, NORTH OF OXNARD STREET, ELEV. 694.98, YEAR OF ADJUSTMENT 2000, NAVD 1988

Basis of Bearing

THE BEARING EAST ALONG THE SIDELINE OF CALIFA STREET NOW KNOWN AS TIARA STREET AS SHOWN ON TRACT MAP NO. 6142, RECORDED IN BOOK 67, PAGE 80 OF MAPS WAS USED AS THE BASIS OF BEARING

